



OFFICE OF THE
SECRETARY

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555

December 10, 1987

IN RESPONSE, PLEASE
REFER TO: M871202

alcs

REVISED

MEMORANDUM FOR: Victor Stello, Jr.
Executive Director for Operations

William C. Parler, General Counsel

FROM: *A. B. Chilk*
Samuel J. Chilk, Secretary

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION/DISCUSSION
AND VOTE, 3:30 P.M., WEDNESDAY, DECEMBER 2,
1987, COMMISSIONERS' CONFERENCE ROOM, D.C.
OFFICE (OPEN TO PUBLIC ATTENDANCE)

I. SECY-87-261 - Final Rule Regarding Completeness and
Accuracy of Licensee Communication with the NRC

The Commission, by a 5-0* vote, approved publication of amendments to Appendix C of 10 CFR Part 2 and Parts 30, 40, 50, 55, 60, 61, 70, 71, 71, 110, and 150 as modified on the attached pages. The amendments codify the obligations of licensees and applicants for licenses to provide the Commission with complete and accurate information, to maintain accurate records and to provide for disclosure of information identified by licensees as significant for licensed activities. Commissioner Bernthal, while approving, noted that he believed that the Commission had gone one step too far in allowing the judgment of significance to be left solely within the discretion of the licensee. His detailed comments were provided to you with his vote sheet.

The FRN should be revised as noted and forwarded for signature and publication in the Federal Register.

(EDO)

(SECY Suspend: 12/21/87)

* Section 201 of the Energy Reorganization Act, 42 U.S.C §5841, provides that action of the Commission shall be determined by a "majority vote of the members present." Commissioner Roberts was not present when this item was affirmed. Accordingly, the formal vote of the Commission was 4-0 in favor of the decision. Commissioner Roberts, however, had previously indicated that he would approve this paper and had he been present he would have affirmed his prior vote.

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II. SECY-87-280 - Implementation of the Freedom of Information Reform Act of 1986; Final Rule Amending 10 CFR Part 9, Subpart A, and Minor Conforming Amendments to 10 CFR Part 2 and Part 9, Subparts B, C, and D

The Commission, by a 5-0* vote, approved amendments to 10 CFR Parts 2 and 9 in order to conform NRC's Freedom of Information Act (FOIA) regulations to the FOIA as amended in 1986, current NRC organizational structure, and current agency practice and delegation.

The FRN should be forwarded for signature and publication in the Federal Register.

(EDO)

(SECY Suspense: 12/21/87)

III. SECY-87-281 - Procedures to Follow Licensing Board Decision on Disposal of Accident-Generated Water at TMI-2

The Commission, by a 5-0** vote, approved an order which specifies the procedures the Commission will implement in carrying out its May 1, 1981, commitment to approve any plans for disposal of accident-generated water at Three Mile Island Unit 2.

(Subsequently, on December 3, 1987, the Secretary signed the Order.)

Attachments:

As stated

cc: Chairman Zech
Commissioner Roberts
Commissioner Bernthal
Commissioner Carr
Commissioner Rogers
GPA
PDR - Advance
DCS - 016 Phillips

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